

New law threatens thrift shop

By LYDIA HART, SPECIAL TO THE CLIPPER

On Tuesday, Sept. 28, consignors and shoppers were greeted with an unusual sight as they entered the shop — caution tape across the clothes.

The day before, 14 shop volunteers gathered for a seminar presented by a representative of the Consumer Product Safety Commission who spoke about the Consumer Product Safety Improvement Act and offered suggestions on how to live with this new law. It was passed by Congress and signed into law by President Bush in reaction to massive children's product recalls during the 2007 holiday season. Though the CPSIA became law on Aug. 14, 2008, most of it took effect on Feb. 10, 2009. It requires that all children's products (including clothing, bedding, cribs, toys, books and furniture) be tested for lead levels.

The CPSC issued a press release in January that said: "The new safety law does not require resellers to test children's products in inventory for compliance with the lead limit before they are sold. However, resellers cannot sell children's products that exceed the lead limit and therefore should avoid products that are likely to have lead content, unless they have testing or other information to indicate the products being sold have less than the new limit. Those resellers that do sell products in violation of the new limits could face civil and/or criminal penalties." The CPSC and each state's attorney general are empowered to enforce the law.

This law poses a threat to resale and thrift shops across the U.S. because, unlike many consumer laws, the CPSIA does not exempt any products manufactured prior to the date of legislation. The ripple effect is becoming enormous. Natural toys, clothes, shoes, bicycles, telescopes, books, etc. are all in question, and not only are resale and thrift shops affected, so are eBay and Craigslist sellers, cottage industries, yard sales — you get the idea. The standards were originally interpreted to apply only to new products, but now the CPSC says they apply to used items as well.

What does all this mean for the Duxbury Thrift Shop? The CPSIA will have a direct impact on what we are able to sell at the shop. After moving into our new location last January, our Board became aware of the enormity of trying to make sense of these seemingly endless restrictions. We joined NARTS (National Association of Resale and Thrift Shops) because it is at the forefront of the fight to reform the CPSIA. It has been working closely with the CPSC and is helping its members stay abreast of current recalls. Ignorance of the law is no excuse. One fine for our shop could put us out of business entirely, affecting not only our volunteers, consignors and customers, but those DHS graduates who benefit every year from the proceeds of our scholarship fund.

Wednesday, October 14, 2009

After the seminar on Sept. 28, I was able to speak directly with our CPSC rep's supervisor in Washington, D.C., so we now have a somewhat better understanding of what we need to look for when taking in children's clothing, toys and books. For the first three days, until we had a chance to thoroughly go through what we now have in inventory, we put a hold on taking in or selling any children's items. The scope of this legislation is not something that can be immediately understood and assimilated. It still will take us some time to "digest" all this new information. We are trying to develop some guidelines that will be helpful to our customers and our volunteers. We want to make sure you have the right information to assist you in making good choices when you bring children's items in for consignment.

Please bear with the volunteers at the shop, this is a learning experience for us all. If you are bringing in children's clothes, be aware that looking over them takes a bit longer now than any other clothing. I hope those of you who bring in non-children's clothes will understand and be patient. We are thinking of ways to iron out the kinks, and will keep you posted. For now, however, we will no longer take for consignment children's toys, metal jewelry, furniture and stuffed animals. (Those stuffed animals which already bedeck our shelves are there for decorative purposes and are not for sale.) The line on children's books is tough to decipher but, for now, our understanding is that anything published prior to 1985 should not be sold.

If there are items that need to be removed from the shop, each consignor will be given a call to let them know that we can no longer have one (or more) of their items on consignment. They will have the opportunity to pick these items up, or we can find a way, ourselves, to dispose of these items in the safest way possible.

It breaks our hearts that something as simple and charming as children's clothing, etc. is bringing such conflict upon shops like ours and our consignors. We will do our best to follow the guidelines imposed, and still keep the flavor of innocence shining in our shop.

